

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FREDERICK R. COTE, J-42098,	)	
	)	
Petitioner,	)	No. C 12-1905 CRB (PR)
	)	
vs.	)	ORDER OF TRANSFER
	)	
W. J. SULLIVAN, Acting Warden,	)	(Docket # 2)
	)	
Respondent.	)	

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Petitioner seeks federal habeas review of a conviction from Riverside County Superior Court, which lies within the venue of the Central District of California, Eastern Division. See 28 U.S.C. § 84(c)(1). Petitioner is incarcerated at California State Prison, Los Angeles County, which lies within the venue of the Central District of California, Western Division. See id. § 84(c)(2).

Venue is proper in a habeas action in either the district of confinement or the district of conviction, see id. § 2241(d); however, petitions challenging a conviction preferably are heard in the district of conviction. See Habeas L.R. 2254-3(a); Dannenberg v. Ingle, 831 F. Supp. 767, 767 (N.D. Cal. 1993).

Because Riverside County lies in the Central District of California, Eastern Division, the court ORDERS that pursuant to 28 U.S.C. § 1404(a) and Habeas Local Rule 2254-3(b), and in the interest of justice, this petition be TRANSFERRED to the United States District Court for the Central District of California, Eastern Division.

The clerk shall transfer this matter and terminate all pending motions as moot.  
SO ORDERED.

DATED: April 20, 2012

  
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CHARLES R. BREYER  
United States District Judge